IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN
&
THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 17TH APRIL 2007 / 27TH CHAITHRA 1929

WP(C).No. 13239 of 2007(S)

AGAINST THE ORDER IN EP 15/03 IN
HMA.114/2000 of FAMILY COURT, THIRUVALLA
.....

PETITIONER:

VIJAYAMMA, ALANCHERIL HOUSE,
MELUKARA MURI, KOZHENCHERRY VILLAGE.

BY ADV. SRI.LIJU.V.STEPHEN

RESPONDENTS:
---

1. SADASIVAN PILLAI, PADINJARE ALANCHERIL HOUSE, MELUKARA MURI, KOZHENCHERRY VILLAGE.

2. SANTHAKUMARI AMMA @ SANTHA S.PILLAI, MANIVILETHU HOUSE, MALLAPUZHACHERRY MURI.

BY ADV.SRI.JOSEPH GEORGE (R2)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 17/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1 JUDGMENT IN WPC.32639/06 DT 2.3.07.

P2 RESTORATION PETITION EA NO.35/07 FILED BY THE PETITIONER BEFORE THE FAMILY COURT, THIRUVALLA.

P3 DELAY CONDONATION PETITION EA NO.36/07 FILED BY THE PETITIONER BEFORE THE FAMILY COURT, THIRUVALLA.

P4 STAY PETITION EA NO.37/07 FILED BY THE PETITIONER BEFORE THE FAMILY COURT, THIRUVALLA.

TRUE COPY

P.A. TO JUDGE

K.T.SANKARAN & S.SIRI JAGAN, JJ.

W.P.(C).No.13239 of 2007

Dated this the 17th day of April, 2007

J U D G M E N T

Sankaran, J.

The only prayer in the writ petition is to issue a writ of mandamus directing the Family Court, Thiruvalla, to deliver copies of the orders in E.A Nos.35, 36 and 37/2007, to the petitioner, in order to enable her to file an appeal against the said orders, and to further direct not to conduct auction or sale of the properties of the petitioner, till copies are submitted. It is not disputed that the execution applications have been disposed of; it is also not disputed that the certified copies are not given to the petitioner.

2. In the facts and circumstances of this case, there will be a direction to the Family Court, Thiruvalla, to issue copies of the orders in E.A Nos.35, 36 and 37/2007 to

the petitioner, within a period of two weeks. The operation of the order and further proceedings to conduct auction shall be kept in abeyance for a period of one month.

The writ petition is disposed of as above.

K.T.SANKARAN, JUDGE

S.SIRI JAGAN, JUDGE

ms